

HAWAII

Overview			
<p>The Hawaii Department of Health licenses adult day health centers (ADHC) under the state administrative rules for freestanding adult day health centers, and also under the state administrative rules for skilled nursing/intermediate care facilities (for nursing facility-based adult day health centers).</p> <p>The Hawaii Department of Human Services licenses adult day centers (ADC) under the state administrative rules for licensing of adult day care centers (for providers serving solely Medicaid clients) and the administrative rules for adult day care services (for clients funded by state funds).</p> <p>Adult day care and adult day health care services are provided through three 1915(c) Medicaid waivers serving the elderly and disabled population under contracts with providers licensed by either the Department of Health or the Department of Human Services.</p> <p>The Hawaii Department of Health also has regulations for adult day health centers located in skilled nursing and intermediate care facilities. The relevant provider regulations are very limited, only specifying that the staff requirements shall not reduce the requirements for the overall skilled nursing or intermediate care facility, and referencing the definitions statement for skilled nursing and intermediate care facilities, which defines drug administration as giving a patient “a prescribed drug in accordance with all the existing laws and rules governing those acts.”</p>			
Licensure and Certification Requirements			
Licensure Only <input checked="" type="checkbox"/>	Certification Only <input type="checkbox"/>	Both Required <input type="checkbox"/>	Other <input type="checkbox"/>
Definitions			
<p>Adult day care center means a licensed facility maintained and operated for the purpose of providing regular care, which includes supportive care to four or more disabled adults. The purpose of adult day care services is to provide disabled adults a sheltered setting and specified activities to support and promote the adult's level of functioning and ability to remain or be maintained safely in the community outside institutions and other care facilities. (Hawaii Department of Human Services definition for state funding under <i>Hawaii Administrative Rules</i>, Title 17, Chapter 1424).</p> <p>Adult day care center means a licensed facility maintained and operated by an individual, organization, or agency for the purpose of providing regular supportive care to four or more disabled adult participants, with or without charging a fee. (Hawaii Department of Human Services definition for Medicaid under <i>Hawaii Administrative Rules</i>, Title 11, Chapter 96).</p> <p>Adult day health care means an organized day program of therapeutic, social, and health services provided to adults with physical impairments, mental impairments, or both, which require nursing oversight or care, for the purpose of restoring or maintaining, to the fullest extent possible, their capacity for remaining in the community.</p> <p>Adult day health center means a facility that provides adult day health care.</p>			
Parameters for Who Can Be Served			
<p>Adult day care. The definition of adult day care (above) provides general information regarding who can be served in these programs. Providers may serve individuals who need the services offered in order to maintain their current level of social, emotional, or physical functioning; have a physical or mental disability suitable to the day care program as verified by a medical or psychological report; and desire and are capable of participating in a day care program.</p>			

Providers may not serve clients whose condition deteriorates to the point that enrollment is unsuitable; if the client is unwilling or unable to make constructive use of the service and continuation of the service is contrary to the overall service plan for the client; or if services are no longer appropriate.

Adult day health care. The definition of adult day health care (above) provides general information regarding who can be served in these programs. Providers may serve individuals who need health, nursing, therapeutic, or social services in order to reach or maintain their highest degree of functional status practicable.

Inspection and Monitoring

Yes ☒ No ☐

Adult day care. Centers are inspected to determine compliance with applicable building and fire codes, and standards set by the state Department of Health. The Department of Human Services also inspects centers as a part of the relicensing process. (Medicaid)

Adult day health care. The director of the Department of Health or his authorized representative shall inspect each licensed freestanding ADHC at least once annually. Notice of the approximate time for the annual inspection visits may be given to the center. In addition to performing annual inspection visits, the director or his authorized representative, without prior notice, may enter the center at any reasonable time for the purposes of confirming correction of deficiencies, investigation of complaints, or both.

Facilities licensed under this chapter must be inspected at least annually by appropriate fire authorities for compliance with state and county fire and life safety rules and ordinances.

Required and Optional Services

	Adult Day Care		Adult Day Health Care	
	Required	Optional	Required	Optional
Activities of Daily Living (ADL) Assistance		M	X	
Health Education and Counseling		M		X
Health Monitoring/Health-Related Services	M		X	
Medication Administration	S	M	X	
Nursing Services			X	
Physical Therapy, Occupational Therapy, or Speech Therapy			X	
Skilled Nursing Services			X	
Social Services	M, S		X	
Transportation		M		X

M = Medicaid, S = State funding

Provisions Regarding Medications

Adult day care. Services include a reminder to take medication. (State funding)

Medication may be administered by staff members licensed by the state as a licensed practical nurse or registered nurse, or by unlicensed assistive personnel delegated the task by a licensed registered nurse, with a signed authorization from the participant's physician. (Medicaid)

Adult day health care. Medications administered to a client shall be ordered by the attending physician in writing.

Only appropriately licensed and trained staff shall be allowed to administer drugs and shall be responsible for proper recording of the medication, including the route of administration.

Provisions for Groups with Special Needs

Dementia <input type="checkbox"/>	Mental Retardation/ Developmental Disabilities <input type="checkbox"/>	Other <input type="checkbox"/>
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Staffing Requirements

Adult Day Care

Type of staff. Each center shall have a *director* responsible for the total program of the center, who shall designate a staff member to be responsible for administration whenever the director is absent. Each center shall have staff members who are capable of providing supervision to the number of participants at the center at all times.

Staffing ratios. The staff-to-participant ratio shall be one regular staff member to six participants. This ratio may include the director of the facility. At least one staff member currently certified in first aid and cardiopulmonary resuscitation (CPR) shall be present at the center while participants are present and accompany participants on field trips.

Adult Day Health Care

Type of staff. Each center shall have an *administrator*, and centers with a capacity of 50 or more clients shall also have a separate full-time *program director*. A program director of a center whose average daily attendance is 20 or less may also serve as the registered nurse, social worker, occupational therapist, physical therapist, activity coordinator, speech therapist, or dietitian provided that the program director is qualified and is not also the administrator.

Each program shall have nursing staff sufficient in qualifications to meet the needs of the clients. Nursing services shall be under the supervision of a registered nurse.

Staffing ratios. Employees shall be sufficient in number to provide the services for which the center is licensed. Each program shall have nursing staff sufficient in number to meet the needs of the clients.

Training Requirements

Adult day care. Staff are required to be certified in CPR and first aid.

Adult day health care. Each employee shall have either training or related experience in the job assigned, and a planned in-service education program, including orientation, skill training, and continuing education, shall be provided. Annual or more frequent training shall include, but not be limited to, prevention and control of infections, fire prevention and safety, accident prevention, clients' rights, and problems and needs of the aged, ill, and disabled. Provision shall be made for training appropriate personnel in CPR and appropriate first aid techniques.

Relevant Medicaid Contracting Requirements for Adult Day Services Providers

Hawaii has three 1915(c) waivers serving the aged and disabled population: the Residential Alternative Community Care Program, HIV/AIDS Community Care, and Nursing Home Without Walls. Services are provided through providers licensed by either the Department of Health or the Department of Human Services. A Program for All-Inclusive Care for the Elderly (PACE) program on the island of Oahu provides adult day health services.

Location of Licensing, Certification, or Other Requirements

1. <http://www.hawaii.gov/health/about/rules/11-96.pdf>
2. <http://www.hawaii.gov/health/about/rules/11-94.pdf>
3. <http://www.state.hi.us/dhs/17-1417.pdf>
4. <http://state.hi.us/dhs/17-1424.pdf>

Citations
<ol style="list-style-type: none">1. <i>Freestanding Adult Day Health Centers</i> (Hawaii Administrative Rules, Title 11, Chapter 96). Department of Health. [5/31/91]2. <i>Skilled Nursing/Intermediate Care Facilities</i> (Hawaii Administrative Rules, Title 11, Chapter 94). Department of Health. [4/22/85]3. <i>Adult Day Care Services</i> (Hawaii Administrative Rules, Title 17, Chapter 1417, Subtitle 9). Community Long-Term Care Programs, Department of Human Services. [Revised 6/29/92]4. <i>Licensing of Adult Day Care Centers</i> (Hawaii Administrative Rules, Title 17, Subtitle 9, Chapter 1424). Department of Human Services, Adult and Community Care Programs. [6/29/92]

REGULATORY REVIEW OF ADULT DAY SERVICES: Final Report

PDF Files Available for This Report

Cover, Table of Contents, Acknowledgments and Introduction

<http://aspe.hhs.gov/daltcp/reports/adulthood.pdf>

SECTION 1. Overview of Adult Day Services Regulations

<http://aspe.hhs.gov/daltcp/reports/adulthood1.pdf>

SECTION 2. State Regulatory Profiles

<http://aspe.hhs.gov/daltcp/reports/adulthood2.pdf>

Each state can also be viewed separately at:

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